

**IN THE UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

La Unión Del Pueblo Entero, *et al.*,

Plaintiffs,

v.

Gregory W. Abbott, *et al.*,

Defendants.

No. 5:21-cv-00844-XR

**INTERVENOR-DEFENDANTS' RESPONSES AND OBJECTIONS TO
OCA PLAINTIFFS' RULE 26(a)(3) DISCLOSURES**

Intervenor-Defendants Harris County Republican Party, Dallas County Republican Party, Republican National Committee, National Republican Senatorial Committee, and National Republican Congressional Committee (collectively, the "Intervenor-Defendants"), lodge the following responses and objections to the Rule 26(a)(3) pretrial disclosures filed by the OCA Plaintiffs. *See* ECF No. 686.

Intervenor-Defendants expressly join, and incorporate herein by reference, all responses and objections lodged to the OCA Plaintiffs' pretrial disclosures by any party to this litigation, including State Defendants. Intervenor-Defendants also expressly reserve the right to supplement, modify, or add to these responses and objections. Consistent with the parties' meet-and-confer conversations, Intervenor-Defendants are not required at this time to lodge any responses or objections to Private Plaintiffs' deposition designations of witnesses whom Private Plaintiffs have identified as will call live witnesses for trial.

OCA Plaintiffs' Deposition Designations For Christina Adkins (April 11, 2023)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
25:20-23	Fed. R. Evid. 802 (hearsay)	
57:6-13	Leading question, Fed. R. Evid. 602 (lack of personal knowledge)	

OCA Plaintiffs' Deposition Designations For Christina Adkins (July 20, 2022)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
41:17-42:19; 43:6-11, 15-25	Fed. R. Evid. 602 (lack of personal knowledge)	
52:4-5, 8-17	Fed. R. Evid. 602 (lack of personal knowledge)	

OCA Plaintiffs' Deposition Designations For Frank Phillips (March 31, 2023)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
18:12-25, 19:1-23, 20:8-25, 21:1-25, 22:1-12, 25:10-25, 26:2-5, 25: 7		22:14-25:9

OCA Plaintiffs' Deposition Designations For Jennifer Colvin (March 21, 2023)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
48:7-20, 25; 49-10, 17-25; 50:1-8	Fed. R. Evid. 602 (lack of personal knowledge), lack of foundation, speculation	
62:13-24	Fed. R. Evid. 602 (lack of personal knowledge), lack of foundation, speculation	

OCA Plaintiffs' Deposition Designations For Isabel Longoria (April 20, 2022)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
37:24-38:10	Fed. R. Evid. 602 (lack of personal knowledge)	
43:7-10	Fed. R. Evid. 802 (hearsay)	
43:24-44:7	Fed. R. Evid. 602 (lack of personal knowledge), Fed. R. Evid. 701 (improper opinion testimony)	
47:17-23	Improper testimony by counsel, leading question	
47:24-48:10	Fed. R. Evid. 802 (hearsay)	
57:1-9	Fed. R. Evid. 602 (lack of personal knowledge)	
129:23-130:11	Fed. R. Evid. 802 (hearsay)	
134:11-17	Fed. R. Evid. 602 (lack of personal knowledge)	137:11-16
147:15-25	Fed. R. Evid. 802 (hearsay)	
151:9-14		151:15-18
153:10-154:12		154:13-25
196:5-17		196:18-21

OCA Plaintiffs' Deposition Designations For Rachelle Obakoza (March 21, 2023)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
86:1-14	Fed. R. Evid. 802 (hearsay)	

OCA Plaintiffs' Deposition Designations For Jonathan White (April 27, 2023)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
146:1-17, 20-24	Vague and confusing question	
160:8-12	Vague and confusing question	
162:3-10, 162:12-25, 163:1-10	Vague and confusing questions	
167:13-22		167:23-25

OCA Plaintiffs' Deposition Designations For Lauren Smith (March 21, 2023)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
78:25-79:4		79:5-24

OCA Plaintiffs' Deposition Designations For Keith Ingram (March 28, 2023)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
100:2-6		100:7-8

OCA Plaintiffs' Deposition Designations For Keith Ingram (April 28, 2022)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
21:17-25		20:12-20; 27:9-18
87:20-23	Vague question, lack of foundation, Fed. R. Evid. 602 (lack of personal knowledge)	
89:1-7, 9-11, 13-14	Fed. R. Evid. 602 (lack of personal knowledge)	

93:1-11		93:12-17
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OCA Plaintiffs' Deposition Designations For Keith Ingram as designee for Texas Secretary of State (March 28, 2023)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
52:23-53:1	Fed. R. Evid. 802 (hearsay)	

OCA Plaintiffs' Deposition Designations For Bridgette Escobedo as designee for Travis County Clerk (May 11, 2022)

<u>OCA Plaintiffs' Designation</u>	<u>Intervenor-Defendants' Objection</u>	<u>Intervenor-Defendants' Counter Designation</u>
20:20-25, 24:1, 3-7	Improper opinion testimony on legal question	
39:23-40:3	Fed. R. Evid. 602 (lack of personal knowledge)	
46:5-13	Fed. R. Evid. 802 (hearsay)	

August 15, 2023

Respectfully submitted,

/s/ John M. Gore

John M. Gore

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CERTIFICATE OF SERVICE

I hereby certify that on August 15, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of this filing to all counsel of record.

/s/ John M. Gore